

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
 :  
VS : CR NO. 08-66  
 :  
WILLIAM KING, M.D. :

ORDER

**AND NOW**, TO WIT, this                      day of                      , 2008,  
upon consideration of the foregoing Petition and upon Motion  
of GERALD B. INGRAM, Esquire, attorney for Defendant, it is  
ORDERED and DECREED that:

1. All statements and/or admissions, both oral,  
written and taped which were unlawfully taken from the  
Defendant shall not be received or admitted into evidence  
and no testimony or comment shall be received respecting the  
same and they are hereby suppressed;

BY THE COURT

---

J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
 :  
 :  
 VS : CRIMINAL NO. 08-66  
 :  
 :  
 WILLIAM KING, M.D. :

## MOTION TO SUPPRESS STATEMENTS

The Petition of the above named Defendant, by his attorney, GERALD B. INGRAM, Esquire, respectfully represents:

1. On or about [redacted] police had defendant in custody. While in custody he was questioned, and subsequently gave statements.

Defendant.

2. That Defendant was unlawfully and illegally questioned and/or interrogated in violation of his constitutional rights and that said statement(s), either oral or written, were unlawfully and illegally obtained, regardless of the probable cause to arrest.

Defendant avers that any and all oral or written statements attributed to him, were taken as a result of the following:

- (a) Physical and psychological coercion;
- (b) Miranda warnings were never given, explained or understood by Defendant;
- (c) Defendant did not have understanding and/or knowledge of personal rights guaranteed to him under the U.S Constitution, and at no time waived said rights.

WHEREFORE, Defendant prays your Honorable Court Order:

1. All statements and/or admissions, both oral, written and taped, which were unlawfully taken from the Petitioner shall not be received or admitted into evidence and no testimony or comment shall not be received respecting the same, and they are hereby suppressed;

Respectfully submitted,



---

GERALD B. INGRAM  
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
 :  
VS : CR NO.08-66  
 :  
WILLIAM KING, M.D. :

MEMORANDUM OF LAW

Defendant was present and in custody while police conducted a search of his residence. While in custody he was questioned by the police in reference to an investigation wherein he was the target. He was never warned of his Miranda rights and subsequently gave a statement

These agents were required to appraise Defendant's of his rights under Miranda before interrogating him. See, Miranda v Arizona, 384 U.S. 436, (1966). Likewise, asking questions of Defendant which were designed to have Defendant give an incriminating response, required warnings to be given. This is the type of conduct Miranda sought to prohibit. See, U.S. vs Smith, 3 F.3d 1088 (1993)

Any statements given by Defendant prior to being read his Miranda rights would violate his Fifth Amendment right to be free from compulsory self-incrimination. The

Government must demonstrate that it gave Defendant these rights and that he waived them. See, Colorado v Connelly, 479 U.S. 157, (1986)

In attempting to prove a waiver of rights, it must be showed that Defendant understood these rights, and that with this understanding he nevertheless voluntarily and knowingly waived these rights. North Carolina v Butler, 441 U.S. 369, (1979). At no time did Defendant waive his Miranda rights.

Wherefore, Defendant requests that all any and all statements be suppressed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'G. Ingram', written over a horizontal line.

Gerald B. Ingram, Esq.

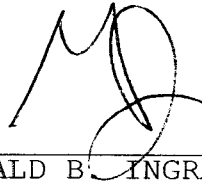
---

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of  
Defendant's Motion was served on October 2, 2008 by U.S.  
Mail, as follows:

UNITED STATES ATTORNEY  
EASTERN DISTRICT OF PENNSYLVANIA  
615 CHESTNUT ST.  
SUITE 1250  
PHILA., PA. 19106

ATT: B. WITZLEBEN, ESQ. AUSA



---

GERALD B. INGRAM, ESQ.

DATE: \_\_\_\_\_